

In re: Appln No. 09/358,280

Atty D cket: MISTY-52064  
6030-021

unnecessary limitation of the claimed invention. Claims 5, 11 and 19 have been amended to remove the limitation of a two-part water conduit (a first and second water conduit) and claim 22 has been added to represent pre-amendment claim 5, and depends from amended claim 5. All amendments are fully supported and do not constitute new matter.

The two-part water conduit, including a first and second water conduit, was amended to recite only "a water conduit" in claims 5, 11 and 19 because the claimed invention does not require a "first conduit" within the container to operate and is only discussed in terms of the preferred embodiment. Consistent with this, the Summary of the Invention on page 2 of the specification only requires that fluid in the pressurized container to flow through a nozzle. The claimed invention does not require a certain number of tubes or conduits to operate; a pressurized container is still able to deliver fluid to a water conduit without the presence of an inner or first water conduit present within the container. Accordingly, the Applicant believes that he should not be limited to this preferred embodiment and respectfully requests entry of the amendments presented herein.

### CONCLUSION

Based on the arguments set forth herein and those previously filed on April 17, 2003, the Applicant submits that all pending claims, Claims 5, 7-12 and 15-22, are in condition for allowance. The Applicant respectfully requests that all pending claims be allowed.

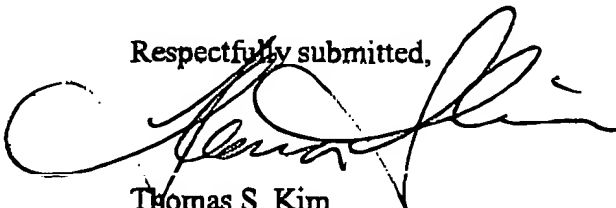
Should the Examiner require any further information or wish to discuss any aspect of this Supplemental Response, the Examiner is encouraged to telephone the undersigned at the telephone number set forth below.

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No fee is believed to be due. Should any fee be deemed necessary, however, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Rosenbaum & Associates, P.C. deposit account No. 18-2000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas S. Kim', written over a horizontal line.

Thomas S. Kim  
Reg. No. 51,009

May 12, 2003

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6030-021**VERSION WITH MARKINGS TO SHOW CHANGES****In the claims:**

Please amend claims 5, 11 and 19 as follows.

Please add Claim 22 as follows.

5. (Amended) A misting apparatus for cooling a local area in the vicinity of a person by evaporative cooling, comprising:

a pressurizable container for supplying water, said container having a water outlet and an inlet for filling said container[, and said container including a first water conduit within said container for supplying water to the water outlet];

means for pressurizing the container;

a [second] water conduit having a proximal and distal end, the proximal end connected to [said first water conduit, said second water conduit having a distal end]the pressurizable container;

a spray nozzle secured to the distal end of the [second] water conduit and in fluid communication with said [second] water conduit, said spray nozzle delivering an evaporative cooling mist of water in the vicinity of a person for cooling the person when pressurized water is supplied to said spray nozzle; and

a restrictive valve having a closed position and an open position, said valve connected to said [second] water conduit for controlling flow of water to said spray nozzle, whereby pressurization of said pressurizable container forces an uninterrupted spray of water from said pressurizable container out through said spray nozzle on said [second] conduit when said restrictive valve is in said open position.

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11. (Amended) A system for cooling a person, the system comprising:  
a pressurizable container for supplying water having a water outlet and an inlet for filling said container;  
[a first water conduit for fluidly communicating water within said container to said water outlet;]  
means for pressurizing the container removably mounted to said inlet of said container to create a seal with said container;  
a [second] water conduit extending from said water outlet, said [second] water conduit having a distal end and a proximal end, said proximal end connected to said container;  
at least one spray nozzle secured to the distal end of the [second] water conduit and in fluid communication therewith, said spray nozzle delivering an evaporative cooling mist of water in the vicinity of a person when pressurized water is communicated to the spray nozzle;  
means for securing the container to the person; and  
a valve having a closed position and an open position, said valve for controlling flow of water through said [second] water conduit and connected to said [second] water conduit between said container and said spray nozzle, whereby pressurization of said pressurizable container forces an uninterrupted spray of water from said pressurizable container out through said spray nozzle on said [second] conduit when said restrictive valve is in said open position.

19. (Amended) The apparatus for generating an evaporative mist according to claim 18, further comprising:

a [set of] fluid conduit[s], a first conduit residing within the pressurizable container and a second conduit outside the pressurizable container], the conduit[s] being in fluid communication with the means for controlling the emission of evaporative mist and pressurizable container, and  
a means for hands-free directing of the means for delivering fluid as a continuous evaporative mist towards the individual creating an evaporative cooling effect.

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22. (New) The misting apparatus of claim 5, wherein said water conduit comprises a first water conduit within said container and a second water conduit connected to said first water conduit, said second water conduit having a distal end;

wherein said spray nozzle is secured to the distal end of the second water conduit and is in fluid communication with said second water conduit, and

wherein said restrictive valve is connected to said second water conduit.---